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Attorneys for Defendant
CITY AND COUNTY OF SAN FRANCISCO

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION

JOSE GUARDADO, et al.,

Plaintiffs,

v.

CITY AND COUNTY OF SAN FRANCISCO,
et al.,

Defendants.

Case No. 4:22-cv-04319-JSW
Case No. 4:22-cv-06013-JSW

**AMENDED NOTICE OF MOTION OF
DEFENDANT'S MOTION TO
CONSOLIDATE CASE NUMBERS:**

4:22-cv-03975-JSW
4:22-cv-01587-JSW
4:22-cv-07455-JSW
4:22-cv-04633-JSW
4:22-cv-07645-JSW
4:23-cv-00211-JSW

Date: June 23, 2023
Time: 9:00 a.m.
Courtroom: 5

Date Action Filed: July 26, 2022
Trial Date: Not Set

AMENDED NOTICE OF MOTION AND MOTION¹**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

PLEASE TAKE NOTICE that, pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, the City and County of San Francisco, the City and County of San Francisco Human Services Agency, the City and County of San Francisco Department of Public Health, and the San Francisco Public Library (collectively, the “Defendant”) hereby moves the Court to consolidate this case, (1) *Guardado, et al. v. City and County of San Francisco*, Case No. 4:22-cv-04319-JSW and (2) *Shaheed, et al. v. City and County of San Francisco*, Case No. 4:22-cv-06013-JSW, with (3) *Gozum v. City and County of San Francisco Human Services Agency*, Case No. 4:22-cv-03975-JSW; (4) *Debrunner, et al. v. The City and County of San Francisco, et al.*, Case No. 4:22-cv-07455-JSW; (5) *Cook v. City and County of San Francisco*, Case No. 4:22-cv-07645-JSW; (6) *Sanders v. San Francisco Public Library, et al.*, Case No. 4:23-cv-00211-JSW; (7) *Keene, et al. v. City and County of San Francisco, et al.*, Case No. 4:22-cv-01587-JSW; and (8) *Monegas v. City and County of San Francisco Department of Public Health*, Case No. 4:22-cv-04633-JSW (collectively, the “Related Vaccine Actions”). Defendant requests that the Related Vaccine Actions should be consolidated at least through summary judgment and permit the parties to revisit consolidation for trial purposes, if necessary.

This Amended Notice of Motion and Motion is brought on the grounds that the Related Vaccine Actions (1) have substantially similar general facts and legal theories, (2) involve the City and County of San Francisco (or have inappropriately named one of its related agencies or departments) as the chief or sole defendant, (3) will prevent the wasteful duplication of litigation efforts and the risk of inconsistent judgments, (4) will preserve judicial resources, and (5) will not cause substantial delay or prejudice to any party.

This amended motion is noticed to be heard on June 23, 2023, at 9:00 a.m., or as soon thereafter as counsel may be heard, in Courtroom 5 of the above-entitled court, located at 1301 Clay Street, Oakland, California. This motion is based upon this Amended Notice of Motion, the below Memorandum of Points

¹ This Amended Notice of Motion is only amended to update the case number for the *Monegas v. City and County of San Francisco Department of Public Health* action, following the Order Relating Case on June 6, 2023. (Dkt. 30.)

1 and Authorities, oral argument of counsel, and any other matters of which the Court may take judicial
2 notice.

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4 DATED: June 6, 2023

SEYFARTH SHAW LLP

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6 By: /s/ Coby M. Turner

7 Coby M. Turner

8 Eric M. Lloyd

Dawn R. Solowey (*pro hac vice*)

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9 Attorneys for Defendant

10 CITY AND COUNTY OF SAN FRANCISCO